

**AMENDMENTS TO THE CLAIMS**

Please make the following amendments to the claims:

1. (Cancelled)

2. (Currently Amended)     ~~The transmitter of claim 1,~~ A transmitter comprising:

a tone ordering element, wherein the tone ordering element is configured to assign bits to each tone in a plurality of tones according to bit and gain information;

a memory containing the bit and gain information, the bit and gain information configured to associate each of at least a portion of a plurality of tones with a bit number, wherein the bit number associated with a first one of the tones is different from the bit number associated with a second one of the tones, where the first one of the tones is adjacent to the second one of the tones; and

wherein the portion of the plurality of tones has an original bit density that is the same for each of the plurality of tones, and wherein the bit and gain information is capable of designating a reduction of the original bit density by one on alternate tones within the portion of the plurality of tones.

3. (Cancelled)

4. (Currently Amended)     The transmitter of claim ~~[[1]]~~ 2, wherein the portion of the plurality of tones is selected based on correlated noise affecting the portion of the plurality of tones.

5. (Currently Amended)     The transmitter of claim ~~[[1]]~~ 2, wherein the bit and gain information is capable of being dynamically determined by a receiver.

6-7. (Cancelled)

8. (Currently Amended) ~~The transmitting system of claim 7,~~ A transmitting system comprising:

means for tone ordering, wherein the means for tone ordering is configured to assign bits to each of a plurality of tones

means for assigning a first number of bits to a first one of the tones and assigning a second number of bits to a second one of the tones, wherein the first number is different from the second number, wherein the first one of the tones is adjacent to the second one of the tones; and

wherein the plurality of tones has an original bit density that is the same for each of the plurality of tones, and wherein the means for assigning is capable of designating a reduction of the original bit density by one on alternate tones within the plurality of tones.

9-10. (Cancelled)

11. (Currently Amended) The transmitting system of claim [[7]] 8, wherein the means for assigning is capable of being dynamically determined by a receiver.

12-13. (Cancelled)

14. (Currently Amended) ~~The method of claim 13,~~ A method for transmitting data, comprising the steps of:

receiving bits and relative gain information, wherein the bits and relative gain information designates a variable number of bits to be assigned to each of a plurality of tones; and assigning a first number of bits to a first one of the tones and assigning a second number of

bits to a second one of the tones, wherein the first number is different from the second number,  
wherein the first one of the tones is adjacent to the second one of the tones; and

wherein the plurality of tones has an original bit density that is the same for each of the plurality of tones , and wherein the bits and relative gain information designates a reduction of the original bit density by one on alternate tones.

15. (Cancelled)

16. (Currently Amended) The method of claim [[13]] 14, wherein the first and second tones are selected based on correlated noise affecting the first and second tones.

17. (Currently Amended) The method of claim [[13]] 14, wherein bits and relative gain information is calculated by a receiver.

18. (Currently Amended) The method of claim [[13]] 14, wherein the bits and relative gain information is dynamically calculated by a receiver.

19-20. (Cancelled)

21. (Currently Amended) ~~The computer readable medium of claim 20;~~ A computer readable medium comprising:

logic for receiving bits and relative gain information, wherein the bits and relative gain information is configured to associate each of a plurality of tones with a bit number, wherein the bit number associated with a first one of the tones is different from the bit number associated with a second one of the tones, where the first one of the tones is adjacent to the second one of the tones; and

wherein the plurality of tones has an original bit density that is the same for each of the plurality of tones, and wherein the bits and relative gain information designates a reduction of the original bit density by one on alternate tones.

22. (Cancelled)

23. (Currently Amended) The computer readable medium of claim [[20]] 21, wherein the plurality of tones is selected based on correlated noise affecting the plurality of tones.

24. (Currently Amended) The computer readable medium of claim [[20]] 21, wherein the bits and relative gain information is calculated by a receiver.

✓ 25. (Currently Amended) The computer readable medium of claim [[20]] 21, wherein bits and relative gain information is dynamically calculated by a receiver.

26. (Cancelled)

27. (Cancelled)

28. (Cancelled)

29. (Currently Amended) ~~The receiver of claim 28;~~ A receiver, comprising:  
a convolutional decoder, the convolutional decoder cable of outputting convolutionally  
decoded tone ordered interleaved data;  
a bit ordering element, wherein the bit ordering element is capable of re-ordering the  
convolutionally decoded tone ordered interleaved data;

wherein a transmitter supplies the data to the receiver and the transmitter codes the data with a tone ordering element and a bit and gain table, wherein the tone ordering element is capable of assigning bits to a plurality of tones and the bit and gain table is capable of designating that within a portion of the plurality of tones a first number of bits is assigned to each of the plurality of tones, and wherein the first number of bits assigned to each of the plurality of tones is different from a second number of bits assigned to each adjacent tone; and

wherein the plurality of tones has an original bit density that is the same for each of the plurality of tones, and wherein the bit and gain table is capable of designating a reduction of the original bit density by one on alternate tones within the plurality of tones.

30. (Cancelled)

31. (Currently Amended) The receiver of claim [[28]] 29, wherein the portion of the plurality of tones is selected based on correlated noise affecting the portion of the plurality of tones.

32. (Currently Amended) The receiver of claim [[28]] 29, wherein the bit and gain table is capable of being dynamically determined by a receiver.

33. (Cancelled)

34. (New) A transmitter comprising:  
memory containing bit and gain information, the bit and gain information configured to associate each of a series of tones with a bit density; and  
a tone ordering element configured to assign bits to at least a portion of the tones in an interleaved manner such that adjacent tones have different bit densities.

35. (New) The transmitter of claim 34, wherein the bit and gain information operates to boost the power on a first group of tones within the series of tones and to lower the power on a second group of tones within the series of tones.

36. (New) The transmitter of claim 34, wherein the bit and gain information is capable of being dynamically determined by a receiver.

37. (New) A transmitter comprising:  
memory containing bit and gain information, the bit and gain information configured to associate each of a plurality of tones with a number of bits; and  
a tone ordering element configured to assign bits to the tones, the tone ordering element comprising:

logic for assigning each of the bits to one of the tones according to the bit and gain information; and

logic for interleaving at least a portion of those bits assigned to adjacent tones.

38. (New) The transmitter of claim 37, further including:  
logic for selecting the portion based on correlated noise affecting the plurality of tones.

39. (New) The transmitter of claim 37, the tone ordering element further comprising:  
logic for assigning bits, each of the bits to one of the tones according to the bit and gain information to produce an ordered bit table; and

logic for modifying at least a portion of the assignments from the ordered bit table such that adjacent tones have different bit densities.

40. (New) A method for transmitting data comprising the steps of:  
receiving bit and gain information, the bit and gain information configured to associate each of a series of tones with a bit density; and  
assigning data bits to at least a portion of the tones in an interleaved manner such that adjacent tones have different bit densities.

41. (New) A computer-readable-medium having a computer program for transmitting data, the computer program comprising the steps of:  
receiving bit and gain information, the bit and gain information configured to associate each of a plurality of tones with a bit density; and  
assigning data bits to the tones according to the bit and gain information; and  
interleaving those bits assigned to adjacent tones.

42. (New) The transmitting system of claim 8, wherein the portion of the plurality of tones is selected based on correlated noise affecting the portion of the plurality of tones.